

REMARKS

The present amendment is submitted in conjunction with a request for continued examination. In the amendment, independent claims 1 and 16 are amended to more particularly and distinctly claim the invention. Claims 10, 11, 26 and 27 are cancelled.

In the final office action mailed October 17, 2003, the Examiner rejected claims 1-3, 5-8, 11-13, 15-19, 21-24 and 27 under 35 U.S.C. §102(e) as being anticipated by Ouchi, U.S. Patent No. 6,477,286. Claims 4, 14 and 20 were rejected under 35 U.S.C. §103(a) as unpatentable over Ouchi in view of Plotts, U.S. Patent No. 6,485,192. Claims 9 and 25 were rejected under 35 U.S.C. §103(a) as unpatentable over Ouchi and Plotts in view of Jewell, U.S. Patent No. 6,421,474 and claims 10 and 26 were rejected under 35 U.S.C. §103(a) as unpatentable over Ouchi.

Applicants respectfully request reconsideration of the rejections in light of the amended claims. The amended independent claims each recite specific limitations directed at the novel features not disclosed in the cited art. In particular, each of the amended independent claims recites connectors to connect the two circuit boards in a specific arrangement with respect to each other, an electrical connection between the two circuit boards, and a specific orientation of the light source to the corresponding photo detector. The prior art fails to disclose or make obvious the novel arrangement recited in the independent claims. The dependent claims are patentable for at least the reasons given above for the dependent claims. Support for the amendment is found throughout the drawings, specification, and claims, and in particular, in FIGS. 1-4, and on page 3, lines 1-8 and 23-32.

CONCLUSION

Applicant respectfully requests reconsideration of the application in view of the foregoing amendment and remarks. Should the Examiner have any questions regarding this application, he is invited to contact Applicant's attorney at the telephone number below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Reginald J. Hill", written over a horizontal line.

Reginald J. Hill
Registration No. 39,225
Attorney for Applicant

Date: February 26, 2004

JENNER & BLOCK
One IBM Plaza
Chicago, IL 60611
(312) 222-9350

CHICAGO-#1049386-v1-Amendment_B_in_Serial_No__09_836_029__Byers_45-7-7.DOC